



United States  
Department of  
Agriculture

Food and  
Nutrition  
Service

Mountain  
Plains  
Region

1244 Speer Boulevard  
Denver, CO 80204

APR 23 1992

Reply to  
Attn. of: SFSP-161

Subject: Eligibility of Enrolled Sites in the Summer Food Service Program (SFSP)

To: STATE AGENCY DIRECTORS - Colorado ED, Iowa, Kansas, Montana OPI,  
(Special Nutrition Programs) Nebraska ED, North Dakota, South Dakota,  
Utah, and Wyoming DHSS

It has come to our attention that there is a great deal of confusion regarding the ways in which the eligibility of enrolled sites is documented in the SFSP. Apparently, the confusion stems, in part, from a 1988 revision to the SFSP Sponsor's Handbook with respect to the proper methods of documenting enrolled site eligibility.

Consistent with our desire to increase Program access and reduce paperwork in all of the Child Nutrition Programs, this memorandum sets forth procedures by which enrolled site eligibility can be documented.

#### **Eligibility of "Open" Enrolled Sites Located in Needy Areas**

Under current policy, enrolled sites must document their eligibility by collecting applications from households participating in the SFSP. The rationale for this interpretation has been our belief that the law intends sponsors to make the SFSP available to all children residing in an "area in which poor economic conditions exist." If a sponsor chooses not to open a site to the community at large, it has been our position that the sponsor must prove that at least 50 percent of its enrolled attendees are free and reduced price eligibles. Requiring a sponsor to document this fact by taking applications was intended to ensure that enrolled sites which are located in or near poorer areas, but which do not actually draw their attendance from these areas, actually serve at least 50 percent free and reduced price eligibles.

Although some enrolled sites are genuinely "closed" to broader community participation and serve only an identified group of children (e.g., a Bible study program or a National Youth Sports Program site), other enrolled sites' participation is limited without being closed to the community at large. For example, some sponsors may close their doors to ensure the safety of the children participating at the site. Other sponsors may administer a site whose enrollment is limited due to the site's capacity, staffing limitations, or the need to estimate attendance for field trips, special events, and the like. These sites are open to the community at large on a "first come, first served" basis, and only close their doors for reasons of security, safety, and control.

Based on these considerations, we believe that it is more equitable and administratively efficient to allow certain enrolled sites to document their eligibility for the SFSP through the use of aggregate area data (e.g., free and reduced price enrollment in neighborhood schools), just as open sites in these same areas document their eligibility. To use aggregate data to document its eligibility, an enrolled site must meet the following conditions:

- (1) It must use recent data documenting that the area in which it is located is actually eligible; and
- (2) The sponsor must state in its media release that the site is open to the community at large and may only limit the site's total enrollment for reasons of security, safety, or control.

**Summer School Sites, Residential Camp Sites, "Closed" Enrolled Sites, and Enrolled Sites Located in Non-Needy Areas**

The above policy should not be construed to change the requirements for site documentation which apply to other types of sites in the SFSP. For example, in accordance with Section 225.14(d) (3), summer school sites must still participate in the National School Lunch Program unless they can demonstrate that they are open to the neighborhood as a whole. Thus, such a site could not claim to qualify for the SFSP as an open enrolled site if it actually limited its enrollment to the children participating in summer school classes.

Similarly, in accordance with Section 225.2, paragraph (b), definition of "areas in which poor economic conditions exist", and Section 225.15(f) (1), residential camp sites and enrolled sites located in areas which do not meet the 50 percent criterion must continue to document their eligibility by taking applications from participating households. Finally, enrolled sites located in otherwise eligible areas which do not meet the two criteria enumerated above (i.e., they limit their enrollment to an identified group of children or they cannot document their area's eligibility with recent data) must continue to collect applications from participating households in order to document their eligibility.

**Optional Implementation in 1992**

Because this policy is being issued so close to the beginning of the SFSP, it is quite possible that the policy's immediate implementation could cause confusion and be administratively burdensome. Therefore, each State Agency (SA) is given the option of implementing this policy in 1992 or waiting until 1993. Each individual SA is in the best position to determine whether immediate implementation would be of benefit to sponsors or impose a hardship on them.

If you have any questions, please contact a member of my staff at (303) 844-0359.

*Ann C. Hector*  
ANN C. HECTOR  
Regional Director  
Special Nutrition Programs